## FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a side yard setback of 37 feet in lieu of the required 50 feet for a proposed two car garage in accordance with Petitioncr's Exhibit.1.

The Petitioners having filed a Petition for Residential Variance and the subject property having been posted and there being no requests for public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 22-26 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variances would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, pictures, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the B.C.Z.R. having been met, and for the reasons set forth above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 4 day of July, 1990 that the Petition for Residential Variance to permit a side yard setback of 37 feet in lieu of the required 50 feet for a proposed two car garage, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

> 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however. Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

> 2) Petitioners shall not allow or cause the proposed garage to be converted to a second dwelling unit and/or apartments. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facil-

3) Upon request and reasonable notice, Petitioners shall permit a representative of the Zoning Enforcement Division to make an inspection of the subject property to insure compliance with this Order.

Zoning Commissioner

JRH:bjs

for Baltimore County

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353

J. Robert Haines

Mr. & Mrs. Dimitrios Apostolou 26 Manor Spring Court Baltimore, Maryland 21234



RE: PETITION FOR RESIDENTIAL VARIANCE W/S Manor Spring Court, 2450' S of the c/l of Meadow Cliff Road (26 Manor Spring Court) 11th Election District - 6th Councilmanic District Dimitrios Apostolou, et ux - Petitioners Case No. 90-524-A

July 9, 1990

Dear Mr. & Mrs. Apostolou:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

> Very truly yours, J. ROBERT HAINES Zoning Commissioner for Baltimore County

cc: People's Counsel

File

I/We do solemnly declare and effirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition. Contract Purchaser: Legal Owner(s): DIMITRIOS APOSTOLOU (Type or Print Name)

I, or we, agree to pay expenses of the above Variance posting and, if necessary, advertising, upon filing

PETITION FOR RESIDENTIAL VARIANCE

the description and plat attached hereto and made a part hereof, petition for a Variance from Section [AD4/38.

To permit a sideward setback of 37' instead of the required 50' ()

AN RC-5 ZONE ON A LOT LINE OWEN HAW A FINERY

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following ressons (indicate hardship or practical difficulty)

Strict compliance would unreasonably prevent the permitted use

of a 2 car garage since there is no other area on the lot t

of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

where a garage can be built due to severe slopes.

Property is to be advertised and/or posted as prescribed by Zoning Regulations.

The undereigned, legal owner(s) of the property situate in Baltimore County :

90-524-A

City/State/2in Code Attorney for Petitioners Type or Print Name

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

City/State/Zip Code Name, address and phone number of legal owner, contract purchaser or representative to be contacted. Dimitrios Apostolou

Name PO BOX 8509 Baltimore, MD 21234 665-1100 petition be posted on the property on or before the 13 day of June 10 90 Robert flatines

395 THEN BRULL HORIST

PUBLIC HEARING HAVING BEEN REQUESTED AND/OR FOUND TO BE REQUIRED,

ZONING CONTISSIONER OF BALTIMORE COUNTY

NONTING DESCRIPTION \$10-524-A

Beginning at a point on the west side of Manor Springs Court 2,450 feet south of the centerline of Meadoweliff Road. Being Lot #22, in the subdivision of Manor Springs as recorded in Baltimere County Plat Book #58, Folio 108, containing 1.2824 acres. Also known as #26 Manor Springs Court and located in the 11th Election histrict.

> oning Commisioner County Office Building 111 West Chesapeake Avenue

H9000395 5/13/90 . PUBLIC HEARING FEES 010 -ZONING VARIANCE (IRL)

080 -POSTING SIGNS / ADVERTISING 1 X TOTAL: \$60.00

LAST NAME OF OWNER: APOSTOLOU

B 147\*\*\*\*\*6000:a 3158F Please make checks payable to: Baltimore County

CERTIFICATE OF POSTING

Dimitrion Aportologyatus Location of property W/S Moror 5 271-195 CT. 2,450 5/ Mardow cation of Signer Focing Mover Spring Ct., offnex 8' Fr. no daloy 6/15/80

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines

P.O. Box 395

Baltimore, MD 21234



RE: Item No. 395, Case No. 90-524-A Petitioner: Dimitrios Apostolou Petition for Residential Variance

June 19,1990

Dear Mr. & Mrs. Apostolou:

Mr. & Mrs. Dimitrios Apostolou

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

Baltimore County Zoning Commissioner Office of Planning & Zoning Towson, Maryland 21204 (301) 887-3353 J. Robert Haines
Zoning Commissioner



Your petition has been received and accepted for filing this 14th day of May, 1990.

ZONING COMMISSIONER

Petitioner's Attorney:

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

DATE: May 31, 1990 J. Robert Haines Zoning Commissioner

Pat Keller, Deputy Director Office of Planning and Zoning

SUBJECT: Dimitrios Apostolou, et ux, Item No. 395

The Petitioners request a Variance to side yard setback requirements.

In reference to the Petitioners' request, staff offers no

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm

395

Baltimore County
Department of Public Works
Bureau of Traffic Engineering
Courts Building, Suite 405
Towson, Maryland 21204
(301) 887-3554

June 6, 1990

Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204 Dennis F. Rasmussen
County Executive

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 355, 395, 408, 409, 410, 411, 412, 413, 414, 416, 417, 418, and 421.

Michael S. Flanigan Traffic Engineer Associate II

MSF/lvw

JUN 13 1990

ZONING OFFICE

Baltimore County
Fire Department
700 East Joppa Road, Suite 901
Towson, Maryland 21204-5500
(301) 887-4500
Paul H. Reincke

JUNE 4, 1990

Zoning Agenda: JUNE 12, 1990

Dennis F. Rasmussen

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204

RE: Property Owner: DIMITRIOS APOSTOLOU

Location: #26 MANOR SPRING COURT

Gentlemen:

Item No.: 395

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1988 edition prior to occupancy. CHAPTER 22

REVIEWER: Cit Josephily (-5-90 Approved Fire Prevention Bureau Special Inspection Division

JK/KEK

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353
J. Robert Haines
Zoning Commissioner

May 29, 1990

Mr. & Mrs. Dimitrios Apostolou P. O. Box 8509 Baltimore, Maryland 21234

Re: CASE NUMBER: 90-524-A
ITEM NUMBER: 395
LOCATION: 26 Manor Spring Court

Dear Petitioner:

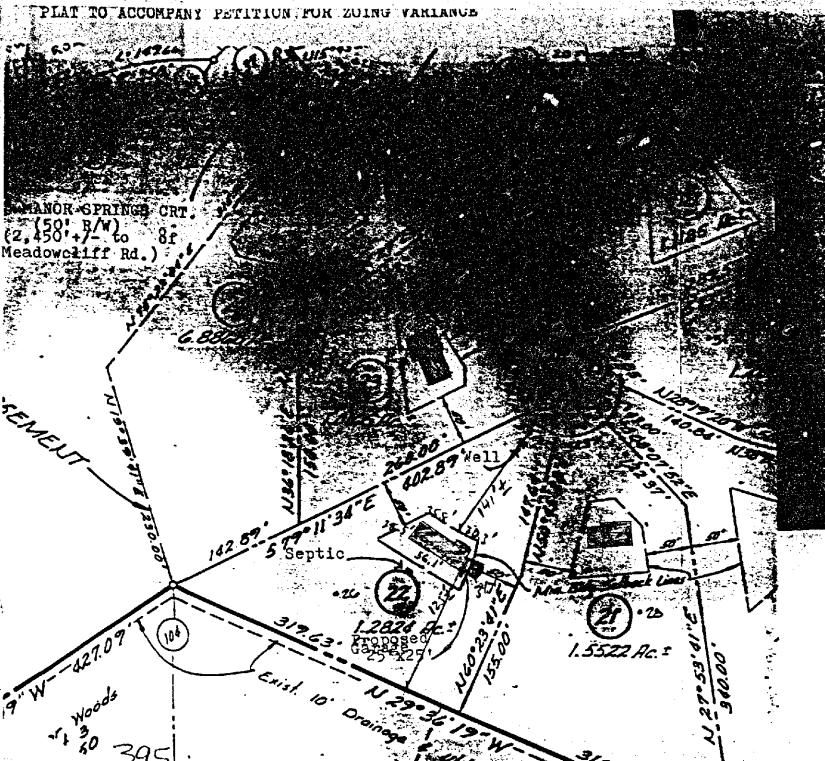
Please be advised that your Petition for Residential Zoning Variance has been assigned the above case number. Any contact made to this office should reference the case number.

Your property will be posted on or before June 13, 1990. After the closing date (June 28, 1990) for filing a request for hearing has passed, the file will be taken to the Zoning Commissioner for review. You will next receive from this office:

1) Notice that a formal request for hearing has been filed, taking the matter out of the administrative process. This will mean advertising of the public hearing and reposting of the property. The public hearing will be scheduled approximately 30 - 45 days from receipt of said notice.

 Notice that the matter has completed the administrative process and that you may return the sign/post and pick-up your Order.

G. G. Stephens



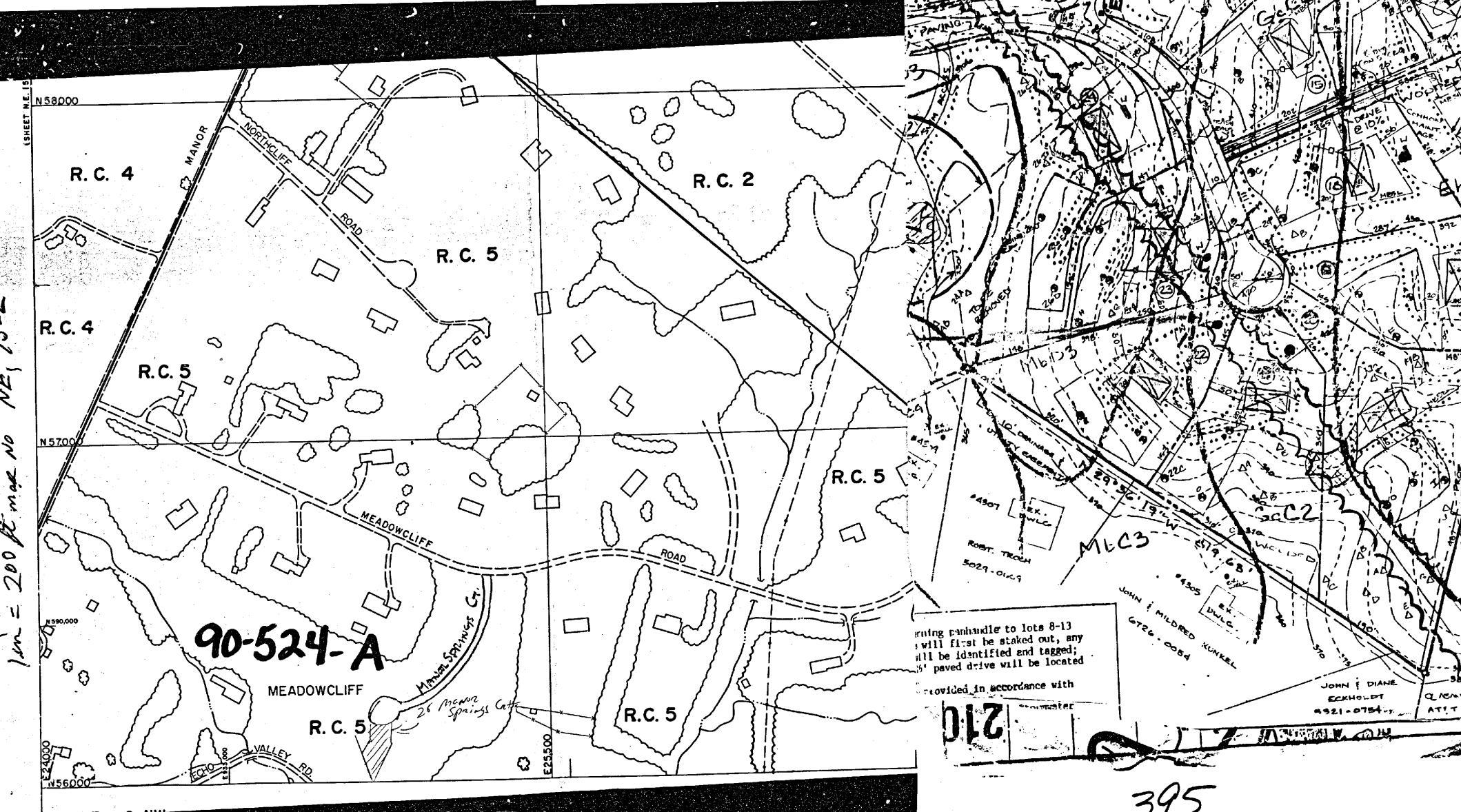
ASITE SOLUTION OF THE LOCATION OF THE LOCATION INFORMATION OF THE LOCATION OF

Councilmanic District: 5
Election District: 11
1"=200' scale map: NE-15 E
Zoning: R.C.5
Lot size: 1.2824 acres 55,861.34 sq. feet

SEWER: Private Water: Private Chesapeake Bay Critical Area: NO Prior Zoning Hearings: None

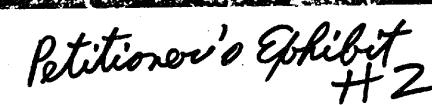
OWNER: Dimitrios & Stephanie Apostolou

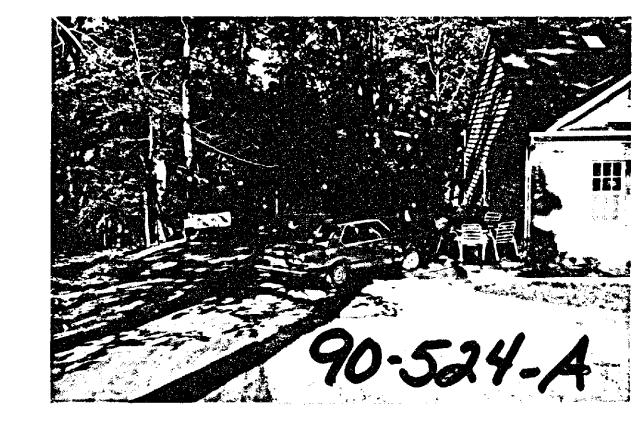
Scale: 1"=100 feet

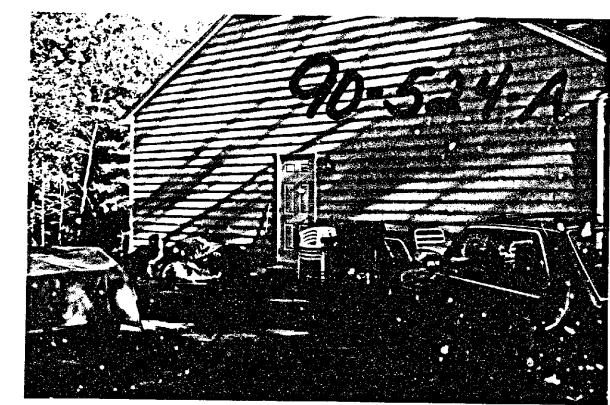












Petitioner's Ephibit

90-524-A